

HUMAN SERVICES DEPARTMENT[441]

Notice of Intended Action

Proposing rule making related to documentation of mental health services and providing an opportunity for public comment

The Department of Human Services hereby proposes to amend Chapter 24, “Accreditation of Providers of Services to Persons with Mental Illness, Intellectual Disabilities, or Developmental Disabilities,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code section 225C.6 and 2017 Iowa Acts, House File 653, section 93.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 225C.6 and 2017 Iowa Acts, House File 653, section 93.

Purpose and Summary

The requirements for documentation of the provision of mental health, intellectual disability or developmental disability services in the areas of social history, assessment, documentation of service provision, supported community living service-functional assessment, and emergency services to be in a narrative format are being removed. These amendments will allow documentation to be made using a checkbox or other format.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa. This is a change to certain documentation requirements in disability services providers’ records and will result in no fiscal impact to the state.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 441—1.8(17A,217).

Public Comment

Any interested person may submit written comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Department no later than 4:30 p.m. on May 1, 2018. Comments should be directed to:

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Hoover State Office Building, Fifth Floor
1305 East Walnut Street
Des Moines, Iowa 50319
Fax: 515.281.4980
Email: policyanalysis@dhs.state.ia.us

Public Hearing

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)“b,” an oral presentation regarding this rule making may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Amend subparagraph **24.4(1)“b”(1)** as follows:

(1) The organization collects and documents relevant historical information and organizes the information in one distinct document ~~in a narrative format~~.

ITEM 2. Amend paragraph **24.4(2)“b”** as follows:

b. Performance indicators.

(1) and (2) No change.

~~(3) Staff develop and complete the assessment in a narrative format.~~

(4) ~~(3)~~ Staff base decisions regarding the level, type and immediacy of services to be provided, or the need for further assessment or evaluation, upon the analysis of the information gathered in the assessment.

~~(5) (4) Staff complete an annual reassessment for each individual using the service and document the reassessment in a written format.~~

~~(6) (5)~~ Documentation supporting the diagnosis is contained in the individual’s record. A diagnosis of ~~mental retardation~~ intellectual disability is supported by a psychological evaluation conducted by a qualified professional. A diagnosis of developmental disability is supported by professional documentation. A determination of chronic mental illness is supported by a psychiatric or psychological evaluation conducted by a qualified professional.

ITEM 3. Amend subparagraph **24.4(4)“b”(3)** as follows:

(3) Documentation of service provision is in a legible, written, ~~legible~~, ~~narrative~~ format in accordance with organizational policies and procedures.